

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN J. SHEFCIK,

Plaintiff,

v.

PIERCE COUNTY WASHINGTON
JUDICIARY AGENCY/DEPARTMENT,

Defendant.

Case No. MC08-5008RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon a criminal complaint filed by plaintiff, a private citizen. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Plaintiff, John J. Shefcik, III, a prisoner at Stafford Creek Corrections Center has filed a complaint against the Pierce County Superior Court Clerk complaining of various violations by the Clerk of the Freedom of Information Act and the Washington State Public Records Act. Mr. Shefcik, disappointed in the Clerk's response, has filed the instant complaint requesting this Court to convene a Grand Jury to investigate the Pierce County Superior Court Clerk for violations of 18 U.S.C. §241. Section 241 makes it illegal to conspire to deprive an individual of "any right secured to him by the Constitution or laws of the United States."

Plaintiff's Complaint shall be **DISMISSED**. A private citizen can neither bring a direct criminal action against another person nor can they petition the federal courts to compel the criminal prosecution of another person. *See Linda R.S. v. Richard D.*, 410 U.S. 614, 619 (1973) ("a private citizen lacks a judicially

1 cognizable interest in the prosecution or non-prosecution of another.”)

2 **IT IS SO ORDERED.**

3 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing
4 pro se.

5 Dated this 2nd day of May, 2008.

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8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
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